

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARATHON ASSET MANAGEMENT, LP,)	
)	
Plaintiff,)	
)	
-v-)	
)	
WILMINGTON TRUST, N.A., as)	
Administrative and Collateral Agent,)	Case No. 15-cv-04727 (AT)(AJP)
)	
Defendant,)	
)	
ANGELO GORDON & CO., LP, APOLLO)	
ADVISORS VII, L.P., BROOKFIELD ASSET)	
MANAGEMENT PRIVATE)	
INSTITUTIONAL CAPITAL ADVISER)	
(CANADA), L.P.,)	
)	
Intervenor Defendants.)	
)	

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and that certain *Stipulation and Consent Order Regarding Limited Objection of Marathon Asset Management, LP to Confirmation of Debtors' Fifth Amended Plan of Reorganization*,¹ the Plaintiff, Marathon Asset Management, LP, hereby gives notice that the above-captioned action is voluntarily dismissed against the Defendant and Intervenor Defendants.

Dated: December 3, 2015

/s/ George W. Shuster, Jr.
George W. Shuster, Jr.

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¹ Docket No. 6932 in *In re Energy Future Holdings Corp., et al.*, Case No. 14-10979 (CSS) (Bankr. D. Del.).